

Department of Permits, Approvals and Inspections  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 84422

Peter D. Johnson  
Barbara Wintz Johnson  
3605 Southside Avenue  
Phoenix MD 21131

16 Primrose Court

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on April 26, 2011, for a Hearing on a citation for a violation of the Baltimore County Code (BCC) section 35-6-105, 35-6-112: Respondent has not obtained a rental housing license of the property located at 16 Primrose Court.

On April 11, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Kathleen O'Donnell issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Barbara Wintz Johnson, Respondent and Kathleen O'Donnell, Baltimore County Code Enforcement Officer.

Inspector O'Donnell presented the County's case and testified that the Respondent does not possess the requisite license nor has application been made for same. Ms. Johnson testified that she has had a great deal of trouble dealing with the tenant at this property, who will not permit her to enter the home or make other arrangements necessary to comply with the Baltimore County Code. While I am sympathetic to the Respondent's plight. I am nonetheless obligated to enforce the rental housing license provisions of the BCC, and it is undisputed that a license has not been obtained for the above premises.

THEREFORE:

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00; \$400.00 suspended and now imposed a \$100.00 fine. If not paid within 30 days of billing, the \$100.00 penalty shall be placed as a lien upon the property.

IT IS FURTHER ORDERED that the suspended portion of the civil penalty will be imposed if the Respondent fails to obtain a valid rental license within 30 days of the date of this Order. After that date, rental without the required license may result in additional Citations with civil penalty.

ORDERED this 4<sup>th</sup> day of May 2011

Signed: Original Signed 5/4/11  
John E. Beverungen  
Administrative Law Judge

**NOTICE TO RESPONDENT:** The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.

JEB/jaf